

[Handwritten signature]



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,599	02/11/2002	Koichiro Daigo	02078/LH	5934
1933 7590 03/13/2006 FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708			EXAMINER NGUYEN, LUONG TRUNG	
			ART UNIT 2612	PAPER NUMBER
DATE MAILED: 03/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/073,599	Applicant(s) DAIGO ET AL.	
	Examiner LUONG T. NGUYEN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/26/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities:

In the specification, page 18 (lines 11 and 16), "FIG. 8" should be changed to --FIG. 9--.

On page 20, (lines 18 and 22), "Internet 103" should be changed to --Internet 101--.

Appropriate correction is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested:

IMAGE PICKUP DEVICE CONNECTED TO A NETWORK AND ADDING
INFORMATION ON THE NETWORK TO A PICKED UP IMAGE.

Claim Objections

4. Claims 1-6, 16-19 are objected to because of the following informalities:

Claim 1 (line 6), claim 16 (line 5), "the network" should be changed to --a network--.

Claim 16 (line 9), "the server" should be changed to --the server unit--.

Art Unit: 2612

Claim 18 (line 5), "image data" should be changed to --image data.--.

Claims 2-6 are objected as being dependent on claim 1.

Claims 17-19 are objected as being dependent on claim 16.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3, 7, 13, 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Ihara et al. (JP 2000-287184).

Regarding claim 1, Ihara discloses an image pickup device comprising:

an image pickup unit configured pick up an image of an object (CCD video camera 22, figures 1, 3, 4, paragraph [0059]);

an image storage unit configured to store the image which is picked up by the image pickup unit (VRAM 65, figure 8, paragraphs [0036], [0057], [0058]);

connection unit connectable to the network (Internet 92, figure 1, paragraph [0017]);

an address storage unit configured to store an address on the network (server 95, figure 1, paragraphs [0017], [0032]);

an information obtaining unit configured obtain information on the network based on the address stored the address storage unit (CPU 51 detects global 2D code, paragraph [0059]) ;

Art Unit: 2612

an adding unit configured to add the information obtained by the information obtaining unit the image stored the image storage unit (2D code is superimposed on image, paragraphs [0055], [0077]).

Regarding claim 3, Ihara discloses wherein the address storage unit stores a plurality of addresses (server 95, figure 1, paragraphs [0017], [0032]) and the information obtaining unit obtains the information on network based on the addresses stored in the address storage unit (paragraphs [0055], [0059]).

Regarding claim 7, Ihara discloses an image recording method comprising:

reading an address on a network (Internet 92, figure 1, paragraph [0017]) which is stored in an image pickup device (CCD video camera 22, figures 1, 3, 4, paragraph [0059]);

connecting the image pickup device to a site designated by the read address through the network (CCD video camera 22, which is included in personal computer 1, is connected to Internet 92, figure 1, paragraph [0017]);

obtaining information from the site through the network (CPU 51 detects global 2D code, paragraph [0059]);

adding the obtained information to a picked up image when the image pickup device stores the image (2D code is superimposed on image, paragraphs [0055], [0077]).

Regarding claim 13, Ihara discloses an image recording system comprising:

Art Unit: 2612

an image recording unit connectable to a network and configured to record image data of an object (CCD video camera 22, which is included in personal computer 1, is connected to Internet 92, figure 1, paragraph [0017]);

server unit (server 95, figure 1, paragraphs [0017], [0032]) configured provide information through the network,

wherein the image recording unit adds the information obtained from the server unit through the network to the image data when the image recording unit records the image data (2D code is superimposed on image, paragraphs [0055], [0077]).

Regarding claim 16, Ihara discloses an image recording system comprising:

an image recording unit (personal computer 1, figures 1, 3, 4, paragraph [0059]) configured to record image data of an object;

server unit (server 95, figure 1, paragraphs [0017], [0032]) configured to provide information through the network;

a network access unit connected image recording unit and configured to be connected to the server unit through the network (Internet 92, figure 1, paragraph [0017]), obtain the information from the server through the network (CPU 51 detects global 2D code, paragraph [0059]), and transfer the obtained information to the image recording unit (paragraph [0046]),

wherein the image recording unit records transferred information association with recorded image data (2D code is superimposed on image, paragraphs [0055], [0077]).

Art Unit: 2612

Regarding claim 17, Ihara discloses the image recording unit records the transferred information in association with recorded image data based on an obtaining date of the transferred information and a pick-up date of the recorded image data (paragraph [0041]).

Regarding claim 18, Ihara discloses wherein the image recording unit records such information in association with recorded image data that has the obtaining date same as the pick-up date of the recorded image data (paragraph [0041]).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 8, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP 2000-287184) in view of Nakamura (US 6,917,968).

Regarding claim 2, Ihara fails to specifically disclose a setting unit configured to set time interval at which the information obtaining unit obtains information on the network based on the address stored in the address storage unit.

However, Nakamura teaches a communication time interval setting unit 615 sets the time intervals at which variations information is transmitted to the WWW servers 700a (figure 9, column 12, lines 14-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in order to set interval for transmitting

Art Unit: 2612

different information. This allows the transmission of different information at different time interval.

Regarding claims 8, 14, Ihara fails to specifically disclose cyclically obtaining the information with a predetermined time interval.

However, Nakamura teaches a communication time interval setting unit 615 sets the time intervals at which variations information is transmitted to the WWW servers 700a (figure 9, column 12, lines 14-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Ihara by the teaching of Nakamura in order to set interval for transmitting different information. This allows the transmission of different information at different time interval.

Regarding claim 15, Nakamura discloses the predetermined time interval is determined for each information to be obtained based on a content of the information (column 12, lines 14-26).

9. Claims 4, 6, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP 2000-287184) in view of Quinn et al. (US 6,449,617).

Regarding claims 4, 6, 10, Ihara fails to specifically disclose a browser file creating unit configured to create a file having the image stored the image storage unit and information added to the image in a format which can be browsed by a terminal accommodating a browser software.

Art Unit: 2612

However, Quinn et al. teaches software browsers and file in an application program used to create the HTML file while viewing the HTML file in a browser program (column 1, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Ihara by the teaching of Quinn et al. in order to allow a user edits an electronic file (column 2, lines 60-63).

10. Claims 5, 9, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP 2000-287184) in view of Nakamura (US 6,917,968) further in view of Quinn et al. (US 6,449,617).

Regarding claims 5, 9, 11, 12 Ihara fail and Nakamura fail to specifically disclose a browser file creating unit configured to create a file having the image stored the image storage unit and information added to the image in a format which can be browsed by a terminal accommodating a browser software.

However, Quinn et al. teaches software browsers and file in an application program used to create the HTML file while viewing the HTML file in a browser program (column 1, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Ihara by the teaching of Quinn et al. in order to allow a user edits an electronic file (column 2, lines 60-63).

11. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP 2000-287184).

Art Unit: 2612

Regarding claim 19, Ihara et al. fails to disclose wherein the image recording unit outputs the recorded image data and obtained information in a formed allowing be printed out at once. However, Ihara et al. discloses 2D code is superimposed on the image of a program (paragraph [0077]), and noted that they are stored in the personal computer 1 in a form of a file. It would have been obvious to one of ordinary skill in the art to connect the personal computer to a printer in order to print image data file.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Steinberg et al. (US 6,750,902) discloses camera network communication device.

Anabuki (US 6,091,518) discloses image transfer apparatus, image transmitter, profile information transmitter, image receiver/reproducer, storage medium, image receiver, program transmitter, and image color correction apparatus.

Mack et al. (US Patent Application 2002/0054115) discloses system for creating on a computer display screen composites images from diverse sources.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

Art Unit: 2612

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN
03/06/06



LUONG T. NGUYEN
PATENT EXAMINER